

REMARKS

Claims 5 and 8 are amended to respond to the rejection under 35 U.S.C. §112.

In addition claim 5 is amended to recite methyl nonyl ketone in lieu of reciting active ingredient.

The specification page 13, beginning at line 3 sets forth castor oil/isophorone diisocyanate as a suitable polymer for applicants water based concentrate. The examiner's question at page 2 lines 14-15 of the Office Action regarding this polymer is not understood. Clarification is respectfully requested.

Claims 5, 8 and 9 are patentable over Yanai et al No 5846562. The present invention is directed to a a water based concentrate composition for controlling insects and animals in which methyl nonyl ketone is active ingredient, and in which castor oil/isophorone diisocyanate is the polymer. Specific quantities in percent by volume are stated in the claims.

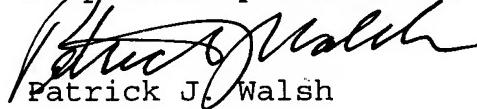
Yanai et al relates to a pharmaceutical composition for oral administration which exhibits antiangiogenesis activity for cancer treatment. Yanai et al provide a pharmaceutically active compound (a fumagillol derivative) that inhibits the growth of blood vessels and is therapeutic agent for angiogenesis associated diseases such as cancer. Applicant's invention with

methyl nonyl ketone has no such affect on animals and insects. Applicant's composition merely caused animals and insects to go away from the place where the composition is sprayed or otherwise deployed. Methyl nonyl ketone is not mentioned in this reference nor is the reference directed in any to applicant's composition for control of insects and animals. Reconsideration of this ground of rejection is requested.

In the event the Examiner persists in any of the rejections, it is respectfully requested that the Examiner telephone the undersigned attorney for applicant in order to discuss the application and to expedite prosecution thereof.

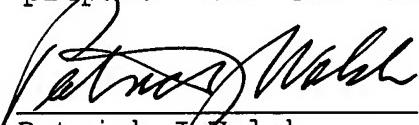
Stamford, Conn.
Sepetmber 5, 2003

Respectfully submitted,


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CERTIFICATE OF MAILING

I hereby certify that the foregoing Response is being posted this 5th day of September, 2003 to the Commissioner of Patents & Trademarks, Mail Stop: Non-fee Amendment, P. O. Box 1450, Alexandria, Virginia 22313-1450in properly addressed envelope, under first class postage prepaid via the United States Postal Service.


Patrick J. Walsh
Date: September 5, 2003